

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8555 of 1988

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For Approval and Signature:

Hon'ble MR.JUSTICE R.A.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
  2. To be referred to the Reporter or not?
  3. Whether Their Lordships wish to see the fair copy of the judgement?
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the Civil Judge?

1 to 5 : NO

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HIMMATLAL NAGERJI RANA

Versus

STATE OF GUJARAT  
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Appearance:

1. Special Civil Application No. 8555 of 1988  
MR MB GANDHI for Petitioner  
NOTICE SERVED for Respondent No. 1, 2  
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CORAM : MR. JUSTICE R.A. MEHTA

Date of order : 30.4.1998

ORAL ORDER :

The petitioner, PSI claims that he should have been promoted when his juniors were promoted to the post of PI. In the affidavit in reply it is pointed out that the criteria for promotion is proved merit and efficiency and not seniority. It is also pointed out that every time the Departmental Promotion Committee met to consider the cases of promotion, the petitioner has been

considered and he was not found fit and ultimately when he became fit in 1991 he has been promoted. Hence there is no merit in this petition.

2. Special Civil Application No.1407 of 1983 is dismissed on 26.10.1993 by Bhairavia, J. relying on the decision of the Division Bench of this Court (Coram : A.P. Ravani & B.C. Patel, JJ.) dated 9.10.1990 wherein it is held that criteria for promotion is not seniority cum merit, but it is merit.

3. Hence the petition is dismissed. Rule is discharged.

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